

REMARKS

This Amendment is being filed in response to the Final Office Action mailed on October 23, 2008 which has been reviewed and carefully considered.

Claims 1-5 and 7-17 remain in this application, where claims 6 and 18 had been previously canceled without prejudice, and claims 1 and 15 are independent.

By means of the present amendment, independent claim 15 has been amended to place it in better form for appeal. Accordingly, no new issues requiring a new search have been introduced and entry of the present amendment is respectfully requested.

In the Final Office Action, claims 1-5 and 7-17 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,091,689 (Taniguchi). It is respectfully submitted that claims 1-5 and 7-17 are patentable over Taniguchi for at least the following reasons.

Taniguchi is directed to an optical pickup device that can read data from and write data to different kinds of optical discs

in different formats. As shown in the figures, such as FIG 5, a laser 4 emits light toward a disc D. Column 4, lines 18-27 specifically recite:

The laser light L reflected by the optical disc D enters into the interior of the microprism 2 through the half mirror on the slope surface 2a of the microprism 2. One half (50%) of the light entering into the microprism 2 enters into the photodiode PD1, and the other half (50%) is reflected by the half mirror on the photodiode PD1 and the top surface 2b of the microprism 2 successively, and then enters into the photodiode PD2. (So both photodiode PD1 & PD2 see L reflected. (Emphasis added)

That is, light reflected from the disc is guided 50:50 to both photodiodes PD1 and PD2. Thus, both photodiodes PD1 and PD2 receive light and are presumably both operating and detect the received light.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 15, amongst other patentable elements recites (illustrative emphasis provided):

wherein only a first detector unit of the at least two optical detector units is operative, as determined by an identity of a first laser in use of the at least two lasers, a second detector unit of the at least two optical detector units being non-

operative by virtue of not receiving light from a second laser of the at least two lasers so that an output of the second detector unit is floating and does not affects output signals produced by the first detector unit.

These features are nowhere disclosed or suggested in Taniguchi. Rather, Taniguchi discloses that light reflected from the disc is received 50:50 by both photodiodes PD1 and PD2 which presumably operate and detect the received light.


Accordingly, it is respectfully requested that independent claims 1 and 15 be allowed. In addition, it is respectfully submitted that claims 2-5, 7-14 and 16-17 should also be allowed at least based on their dependence from independent claims 1 and 15 as well as their individually patentable elements.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of

the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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December 22, 2008

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